

Lessons learned from the 7th century Medina Constitution

By Safi Kaskas

One of the main lessons learned from the Sunnah of Prophet Muhammad ﷺ is the way he governed the state of Medina.

One of his major accomplishments in history was the Constitution he offered to the citizens of Medina.

It behooves Muslim intellectuals to understand the thought process and the logic used by the Prophet in his decision making. Once this is accomplished, following the Sunna becomes in fact following the Prophets' thoughts process rather than mimicking his actions and will enable Muslims to easily adapt the Sunnah to every culture at any time.

Here are some lessons we can learn from the Constitution of Medina:

- Muslims learned from the Qur'an to always express their relationship with others contractually Q 2:282 and are urged in the Qur'an to fulfill their contractual agreements. Q5:1 . Hence when the People of Medina came to Muhammad ﷺ to pledge allegiance to him (Mubaya'a) he refused to let them do it and insisted that their pledge must be based on a social contract that he will draw and they will pledge their allegiance to him only if they like the contract.
- This document is believed to have been the first written document in Islam (other than the Qur'an).
- The first social contract in existence. Thought to be written in the year 622, the Magna Carta Libertatum was issued between the King of England and feudal barons in 1215, while the first European social contract was written by Jean-Jacques Rousseau, in 1762.
- The constitution formed the basis of a multi-religious, pluralistic state in Medina that included the idol worshipers, 45%, the Jews 40%, and the Muslims 15%. These numbers resulted from the first census ordered by the Messenger of Allah ﷺ.
- The Constitution declared for the first time ever the independence and sovereignty of such a state in the Arabian Peninsula.
- The State was a civil state, hence the name change from Yathrib to Medina or the civil city.
- It ended the era of tribal allegiance and made the allegiance of its inhabitants to the city/state, therefore changing the social structure in Arabia and marked the beginning of a new era.
- It declared that the dealings between the believers will be in accordance with the principles of goodness and justice.

- Believers according to the Constitution included Christians and Jews. This practice continued well into the Umayyad period when it started to change and the term believers was replaced by, Muslims, Christians, and Jews.

- The Constitution established the cornerstone of social responsibility and welfare in the state when it declared that the believers (collectively) shall not leave anyone, hard-pressed with debts, without affording him some relief, in order that the dealings between the believers be in accordance with the principles of goodness and justice.

- It establish the foundation of economic justice when it declared that no believer shall enter into a contract of clientage with one who is already in such a contract with another believer.

- It established the foundation of an orderly state based on laws and justice by creating a mechanism to enforce order and legal judgments.

- It established the principle of equality among all citizens weak, strong, poor, or rich. It declared "the protection of God is one. The humblest of them (believers) can, by extending his protection to anyone, placed the obligation on all; and the believers are brothers to one another as against all the people (of the world)."

- The Constitution declared equality among all citizens and stated that the same rights extend to the Jewish citizens. It clearly gave them the rights to worship without any interference from anyone. Hence, the Constitution will be the first in the world to guarantee the freedom of worship to citizens living within the same city/state.

- One of the constitution's more interesting aspects was the inclusion of the Jewish tribes in the Ummah because although the Jewish tribes were "one community with the believers", they also "have their religion and the Muslims have theirs".

- Another important feature of the Constitution of Medina is the redefinition of ties between the citizens of the state. It sets citizenship above blood-ties and emphasizes individual responsibility. Tribal identities are still important to refer to different groups, but the "main binding tie" for the newly-created Ummah is citizenship.

- The Constitution gave non-Muslims the following rights on the condition they obey the Constitution and not betray other groups in the city. It states:

- The security of God is equal for all groups.

- Non-Muslim members have the same political and cultural rights as Muslims. They have autonomy and freedom of religion.

- Non-Muslims take up arms against the enemy of the nation and share the cost of war. There is to be no treachery between the two.

- Non-Muslims are not obliged to take part in the Muslims' religious wars.

The relevance of the Medina Constitution in today's world

Seventh century Arabia didn't have political scientists or sociologists at the time the Qur'an was revealed to Muhammadﷺ. Yet, the Qur'an was able to change Arabs from camel herders, desert warriors, and merchants into world-class leaders and diplomats, to be able to think of ways to create a new polity that included different religions, different tribes and people with different languages. The Qur'an as a document is not mentioned in the Constitution, but it didn't need to, because its writer was a walking Qur'an. Muhammadﷺ had absorbed the Qur'anic Principals and gave them back to us as a constitutional document in a seventh-century setting, but ahead of its time.

The Constitution of Medina was based on the Qur'an's basic principles: God created all human beings as a global community, one people, but it is human beings who divided and separated themselves; every human being has inherent dignity and worth; every human being has the right to choose his/her beliefs and way of life; Islam is not a new religion. Rather it is a reaffirmation and completion of the message found in previous Divinely Revealed Scriptures; Islam holds in high esteem the Messengers of the Bible and Torah, like Abraham, Moses, and Jesus. Believing in these Prophets and Messengers of God, in fact, is a key tenet of Islam, and no one can claim to be a Muslim if they do not.

Islam has from the beginning taught the recognition of differences not just between human beings in terms of color and language, but belief systems as well. The attitude toward these divergences has been to accept that God is the ultimate arbiter Who will decide between all in the Hereafter. For this world, though, we can and should live together peacefully, striving toward common goals that benefit humanity across the board.

The Prophetﷺ realized the challenges of preaching the message of unity of humankind. Even in his farewell sermon shortly before his death, he made it a point to address this issue:

"O people, remember that your Lord is One. All mankind is from Adam and Eve. An Arab has no superiority over a non-Arab nor a non-Arab has any superiority over an Arab; also a white has no superiority over a black, nor [does] a black have any superiority over a white, except by piety and good action. Indeed, the noblest among you is the one with the most God Consciousness (Taqwa).

His sermon was in a way an explanation of God's command in the Quran:

{يَا أَيُّهَا النَّاسُ إِنَّا خَلَقْنَاكُمْ مِنْ ذَكَرٍ وَأُنْثَىٰ وَجَعَلْنَاكُمْ شُعُوبًا وَقَبَائِلَ لِتَعَارَفُوا إِنَّ أَكْرَمَكُمْ عِنْدَ اللَّهِ أَتْقَاكُمْ إِنَّ اللَّهَ عَلِيمٌ خَبِيرٌ {
(الحجرات 13)}

"People, We created you from a male and a female and made you nations and tribes so that you may know one another. The best among you in the sight of God is the one who is most mindful of God. God is All-knowing and All-Aware. " (Quran 49:13).

The issues surrounding religious pluralism and the freedom of religion are of paramount importance within today's Muslim world, particularly given the various national uprisings that are taking place across the Middle East and North Africa. I hope that the principles found in the Constitution of Medina, a document that is more than 1,400 years old, will add value to the wider constitutional discussions currently taking place. It is high time for Muslims to start reexamining this document and to start including its basic principles into their constitutions.